Appendix D.

ORIGINAL JOINT RULES.

1*st.*—With a view to the improvement of the country and people, the assessment now introduced by the Superintendent, Revenue Survey has been fixed by Government for a period of thirty years, viz., from Fasli to during which period the full benefit of every improvement, such as the conversion of dry into irrigated land by the digging or repairing of wells and tanks, the planting of fruit-trees, &c., will be secured to the incumbent of the land, and no extra assessment levied on that account.

2*nd.*—All cesses upon land have been absorbed in the new assessment; consequently, when there are fruit-trees in a field, their produce is to be taken by the cultivator, and nothing beyond the assessment placed on the field levied on that account from him; but in the case of valuable fruit and other trees standing in fields *assessed at dry-crop rates, and* not in cultivation at the introduction of the survey, and the produce of which it has hitherto been customary to sell on account of Government, the right of property in these trees and of occupancy in the field should be *offered at a fair upset price, and* sold once for all by public auction to the highest bidder, and nothing in excess of the survey assessment thereafter exacted. But, if no one offer to undertake the cultivation of the field on these terms, the produce of the trees may be sold annually, according to custom.

3*rd.*—No field is to be let for less than the full survey assessment, on account of its having been long waste, overrun with jungle, or any other reason whatever.

4*th.*—In the survey registers, in the case of fields containing garden and rice land, the said land is entered at so many acres bearing a certain assessment, or the latter is laid upon the well in the case of garden land, without the irrigated acres being specified. This assessment is invariably to be levied, and nothing more, whether a greater or less number of acres, or none at all, be cultivated with garden or rice crops; and should there, now or hereafter, be garden or rice land in any field not entered as having such in the survey registers, no extra assessment is to be levied on that account: the dry-crop assessment therein entered is alone to be levied. In the registers, also, a deduction is made on account of barren* land in certain fields, and the assessment placed on the arable land alone; but, in event of the cultivator bringing any portion of the land deducted as barren† into cultivation, no extra assessment is to be levied on that account: the assessment on the field entered in the register is alone to be levied.

* Unarable.

† Unarable.

5*th*.—Every cultivator in whose name any field, or share of a field, on whatever tenure held, is entered in the village cultivation returns is to be considered the holder of such field or share; and, so long as he shall continue to pay the survey assessment due on it, he cannot be ejected or deprived of his right by any revenue authority; but, in event of his failing to discharge the full assessment, Government reserves the power of ejecting him from any field or share of which the assessment shall at least be equal to the balance outstanding, the defaulter retaining, however, the privilege of determining the particular field or fields to be so relinquished; *and in cases when the tenure precludes summary ejectment the Collector will observe the forms necessary to give his orders the force of a legal decree.*

6*th*.—In event of a holder of Government land dying, his fields or shares are to be entered in the name of his eldest son or next heir, should he or his representatives agree to take them.

7*th*.—When two ryots hold a field, and one of them relinquishes his share, or dies without heirs, the share thus lapsing is to be offered, in the first instance, to the other sharer, before it is offered to any other party, and in event of the said sharer declining it, and no other party applying to take it up, the former must relinquish his share too, and allow the whole field to become waste.

8*th*.—When there are more sharers than two in a field, and any of them relinquishes a share, or dies without heirs, it should be offered, as above, to the sharers, in the first instance beginning, in event of their failing to settle the matter amongst themselves, with the largest sharer, and so on to the least. If none of these, nor any other party, be found to take up the relinquished share, the whole field must be thrown up.

9*th*.—Whoever has a field, or portion of one, entered in his name in the Government accounts, may have the said field or portion transferred to the name of any other person agreeing to cultivate the same on his making a written application to that effect in the usual "Rázinámá," or petition to resign.

10*th*.—Proprietors of Inám, Judi, and Mirás lands, having possession of the same have the right of cutting down, or otherwise disposing of, all trees growing therein, *and also holders of Government fields of which they have been in uninterrupted occupancy from a period anterior to the age of the trees, or for a period of twenty years, or who have purchased the trees under the provisions of Rule* 2.

11*th*.—Holders of Government fields *besides those specified in the preceding Rule*, or occupants of Mirás, Judi, or Inám lands, holding the same from Government,* must obtain permission to cut down trees, and will, in event of permission being given, be required to

* Have permission to cut down Babul, Date, and all young timber trees, with the exception of those growing on the boundaries,

which are to be preserved as landmarks, and fruit or large timber trees, none of which are to be cut down, without permission from the district revenue authorities, unless the property of the holder by purchase under the provisions of Rule 2.

plant two trees for every one cut, unless exempted from this condition by order of the Collector. The permission to cut trees under this rule, and also trees in Government waste fields, for any purpose connected with agricultural operations, to be granted by the Pátel and Kulkarni on application, a record thereof being kept for the inspection of the Government officers. For other actual and immediate wants of the villagers, such as repair of houses, &c., permission to be obtained from the Mámlatdár or Mahálkari; but for cutting any large number, or for any purpose of sale or profit, the permission of the Collector or one of his Assistants to be necessary, when any conditions which may appear advisable can be imposed.

12*th*.—In taking up waste for cultivation, a ryot must agree for a whole survey field at the full assessment, and no portion of a field is, on any account, to be given for this purpose, except in the case mentioned in the next rule; and when two or more cultivators agree together to cultivate a waste field it must be entered in the name of one of their number, who will be considered the holder, *unless the assessment of the field amount to, or exceed, twenty rupees, in which case it may be entered in the names of two or more holders on the condition that the assessment of the share of each shall in no case fall short of ten rupees.*

13*th*.—There are some survey fields consisting in great part of* land covered with dense jungle, or otherwise unsuited in their present state for cultivation, upon which no assessment is placed in the Survey Registers. In the event of portions of such fields being brought under cultivation, rates of assessment should be fixed by the Mámlatdár upon the acres under tillage equivalent to those of similar soils in the same village. *This rule applies to all fields in the Survey Registers on which rates of assessment have not been fixed.*

* *Unarable.*

14*th*.—Unless special exceptions be made by the Collector of valuable grass lands, certain to realize rents in excess of the survey assessment, the grazing of all waste Government and Mirás land is annually to be sold by auction, field by field, at the commencement of the monsoon, a preference being given, at the sale, to the inhabitants of the village to which the land may belong. The bidding, however, for any waste field should not be allowed to go beyond its assessment in the Survey Register, and when it reaches this point the field should be entered in the name of the last bidder, as other cultivated land held at the full assessment, and the person so taking it admitted to all the privileges of a holder of land under tillage.

15*th*.—The grass of fields especially excepted by the Collector from the operation of the preceding rule may be sold by auction to any one, for sums in excess of the survey assessment.

16*th*.—The grazing of the unarable and other fields not subject to assessment in the Survey Registers should be sold by auction by the Collector, as in the preceding rule, a reasonable proportion being set aside for the free pasturage of such villages as have hitherto enjoyed this right.

17*th*.—In some villages houses are attached to particular fields, and it has been customary to oblige a ryot throwing up one of these fields to relinquish his house at the same time. This custom, however, is now abolished; and every cultivator is at liberty to throw up any field without his title to his house being at all affected thereby. This rule does not apply to the case of alienated lands.

18*th*.—In the Survey Registers an assessment is placed on Judi and Inám, as well as Government fields, but the Judidárs and Inámdárs are not bound thereby, and are at liberty to let out their lands on any terms they please.

19*th*.—In event of Inám land being confiscated, or temporarily attached, it is to be let out, while under Government management, at the survey assessment, or sold by auction if waste, exactly as Government land. This rule does not apply to the year in which the attachment is effected, for which the existing agreements made with the Inámdár should be allowed to stand.

20*th*.—Cultivators wishing to relinquish fields must give in a written application to that effect before the 1st of May, and with the view of ensuring this being done, the village officers are to assemble all the holders of Government land on the 30th of April in each year, and, having explained to them that it is the last day on which resignations will be received, the Kulkarni shall then and there write out, in a prescribed form, which must specify the number, acres, and assessment of every field to be relinquished, the "Rázinámás" (or petitions to resign) for any parties requiring them. These petitions should be signed or authenticated in the presence of one or more witnesses by the parties making them, and countersigned by the Pátel and Kulkarni, who should forward them without delay to the Mámlatdár or Mahálkari, by whom they are to be attested and returned to the village officers, as vouchers for any alteration made in the village accounts of the following year. When waste fields are wanted for cultivation, written applications must, in like manner, be taken from the applicants, countersigned by the village officers, and forwarded by them to the Mámlatdár or Mahálkari, by whom they are to be attested and returned, and all these resignations of cultivated, and applications for waste fields, are to be produced at each Jamabandi settlement for examination. But village officers, under pain of punishment, are not to make any alterations in the Cultivation Registers, except upon the authority of the vouchers

mentioned above, or in obedience to written instructions from the Mámlatdár or Mahálkari.

21*st*.—The revenue should be collected by fixed instalments, without reference to the proportion of early or late crops grown in any one year; and consequently no field inspection for the purpose of obtaining such information should be made. In districts where early crops prevail, we recommend the collections to be made in four equal instalments, falling due on 15th December, 1st February, 15th March, and 1st May; and where the early and late crops are nearly equal, or the latter predominate, we also recommend four equal instalments, but respectively falling due a month later, viz., on 15th January, 1st March, 15th April, and 1st June.

22*nd*.—The field boundary mark erected at the survey, should be preserved with the greatest care, and when injured, timely repairs must be made by the cultivators in the case of cultivated lands, and by hired labourers in the case of waste, the expense of the latter being defrayed from a sum of 100 Rupees, to be deducted for the purpose from the proceeds of the grazing farms *of each taluk*, as sanctioned by Government. This amount should therefore be placed in deposit each year, and the order of the Collector obtained for its expenditure, as above explained, wherever necessary. The intervening strips connecting the boundary marks of a breadth corresponding with the latter, are constituted the boundary of the field, and forbidden to be ploughed over or otherwise injured; and in the case of dry crop land, before preparing any field for sowing, these strips are to be distinctly marked off each year, by the holder running his plough along the boundary. In event of this order being neglected, and this space ploughed up or sown, the cultivator is to be made to connect the two contiguous marks, between which the boundary had been disregarded, by a continuous ridge of earth, 1½ feet in height; and should he fail to do so within a certain number of days, the village officers are to report the circumstance to the Mámlatdár, who is to apply to the Collector for a notice to be served on the holder of the field, according to the provisions of Act III. of 1846; and if this be disregarded, the boundary is to be put up by hired labourers, and the amount recovered from him, as therein provided.

23*rd*.—Independent of the precautions specified in the preceding Rule, a regular inspection of fields, for the purpose of ascertaining the state of the boundary marks, and that none of the fields entered in the accounts as waste are surreptitiously cultivated, is to be made in each village, as soon as practicable after the 1st of November in each year. The results of this inspection are to be entered in a field register, prepared according to the form hereunto annexed. Before, however, commencing the work of inspection, the Kárkun nominated for the duty should summon the villagers to the Chauri when he should read out and explain to them the Government Proclamation

regarding the preservation of their boundary marks, of which a copy is subjoined. He should make the inspection in company with the village officers, and take care that the owners and occupants of the fields visited be also present. He should point out to them any repairs required to their boundary marks, and order that they be completed within a certain number of days. In event of any of the strips of boundary between the marks having been ploughed over, or otherwise encroached upon, the Inspector should require the party who may have done so to connect the two adjoining marks, between which the boundary has been violated, by a continuous mound of earth, one cubit in height, as a punishment for the encroachment, and make a note to that effect in a separate memorandum, to be kept in addition to the register, for the purpose of recording any remarks not admissible there. When every field has been thus inspected, and the state of its boundary marks entered in the register, a second examination, after the lapse of a sufficient time to allow of the repairs to the marks being completed, should be made of every field entered at the first inspection as requiring repairs. And, should any of these still remain to be made, the party to whose neglect this may be attributed, should be required, in addition to repairing the marks, as originally directed, to connect each incomplete mark with the one adjoining it, by a continuous ridge of earth, one cubit in height; and these particulars, with the name of the individual, should be noted in the separate memorandum above alluded to. A notice to this effect should then be served on him, in compliance with the provisions of Act III. of 1846, and, in event of his failing to complete the boundary marks within the specified period, the village officers are to do so by means of hired labourers, and the expense incurred on this account is to be recovered from him, as provided in the said Act. The correctness of the entries regarding boundary marks in the Inspection Register should be tested in every village by the Mámlatdár, Mahálkari, or some confidential member of their establishments, and the results of this re-examination, entered in the column of the inspection register, appropriated for the purpose.

24*th*.—From the Inspection Register described in the preceding Rule, the Mámlatdár of each táluk should prepare and forward to the Collector on the 1st of May in each year, a General Abstract according to the Form given in the opposite page, of the state of the boundary marks in each village of his charge, at the different inspections; the repairs subsequently made, and those still requiring to be so, at the date of his return. Under ordinary circumstances, there ought to be no mark unrepaired at this date, but in event of there being any, the Mámlatdár should be held responsible for the delay, if unable to assign satisfactory reasons for it. On receipt of this return, the Collector should immediately take measures for the completion of the repairs still to be made; or, if unable to do so, should report the circumstance for the instruction of Government.